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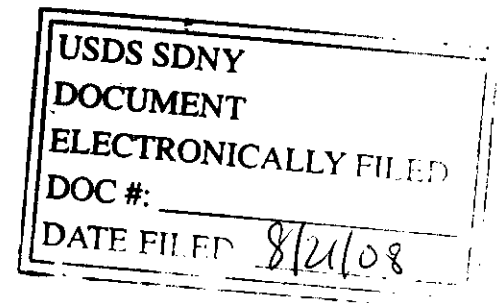
MEMO ENDORSED

August 20, 2008

Michael J. Frevola
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michael.frevola@hklaw.com

BY HAND

The Honorable Richard J. Sullivan
United States District Judge
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
Room 615
New York, New York 10007



NYU Hospitals Center v. Mollo et al.

Docket #: 08 CV 6187 (RJS)

Our File: 038477.00168

Honorable Sir:

We represent Defendant Blue Cross/Blue Shield of Florida, Inc. in the referenced matter. We write to make an emergency request for a brief adjournment of tomorrow's pre-motion conference (rescheduled by Your Honor from this past Monday), which adjournment is being sought because of Hurricane Fay's disruption of business operations in Florida this week. We are aware of Your Honor's individual rules regarding the timing of adjournment requests but, as discussed below, the unanticipated and dramatic change in direction of Hurricane Fay occurred last night. Prior to this occurrence, there was no need to request this adjournment.

Lead counsel on this case is the undersigned's colleague, Timothy Conner, who works out of our Jacksonville, Florida office. Late yesterday evening, the National Weather Service issued a revised track on Hurricane Fay which calls for it to strike in the vicinity of Jacksonville late this evening or early tomorrow morning. It is quite likely that the storm's arrival will disrupt communications and/or cause the evacuation of citizens and makes Mr. Conner's attendance by telephone uncertain at best.

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As Mr. Conner is lead counsel for our client and has the best knowledge of the theories supporting the proposed motion that is to be discussed at tomorrow's pre-motion conference, in the interest of judicial economy we request that Your Honor adjourn this conference until sometime next week or the following week at Your Honor's convenience.

We have spoke with counsel for plaintiff and he has agreed to this proposed adjournment. Counsel for plaintiff has advised that he has a scheduling conflict next Monday, August 25, 2008, but besides that date the next two weeks are open. Mr. Conner has advised the undersigned that his schedule is clear for the next two weeks.

We look forward to receiving Your Honor's decision. Should Chambers have any questions, the undersigned may be reached at his direct line provided above.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By



Michael J. Frevola

MJF:mf

cc: **VIA TELEFAX**

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*Request granted.
The pre-motion conference
is adjourned to August
26, 2008 at 3:00 pm.*

SO ORDERED

Date:


RICHARD J. SULLIVAN
U.S.D.J.